

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, February 13, 2008

9:00 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative Paul Condino**, Chair.

MEMBERS PRESENT: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca.

MEMBERS ABSENT/EXCUSED: Representative Scott.

Representative Coulouris moved to adopt the minutes of the **February 7, 2008**, meeting. There being no objection, the motion prevailed by unanimous consent.

Chairman Condino laid **HB 4092** before the committee:

HB 4092	Vagnozzi	Criminal procedure; evidence; DNA testing upon arrest for certain crimes; require.
---------	----------	--

TESTIMONY

Representative Vagnozzi, sponsor of HB 4092, explained his bill to the committee.

Michelle Willhelm testified and submitted written testimony in support of the bill.

Jayann Sepich testified and gave a presentation in support of the bill.

Sgt. Matt Bolger, representing the Michigan State Police, testified indicating neutrality on the bill.

Julie French, representing the Michigan State Police, testified indicating neutrality on the bill.

Ron Bretz, representing the ACLU of Michigan and the Criminal Defense Attorneys of Michigan (CDAM), testified in opposition to the bill.

Shelli Weisberg, legislative director, representing the ACLU of Michigan, testified and submitted written testimony in opposition to the bill.

Michael J. Bouchard, Oakland County Sheriff, submitted written testimony in support of the bill.

Representative Meadows offered the following amendments to **HB 4092**:

1. Amend page 1, line 4, after "testing" by striking out "for a determination of his or her secretor status".
2. Amend page 2, line 21, after "is" by inserting "**ARRESTED FOR**".
3. Amend page 2, line 21, after "of" by inserting a comma.
4. Amend page 3, line 3, after "28.176." by inserting "**HOWEVER, A SAMPLE TAKEN UNDER SUBSECTION (1) (A) MAY BE TRANSMITTED TO THE DEPARTMENT OF STATE POLICE UPON COLLECTION.**".

Representative Coulouris moved to adopt the amendments.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Representative Bieda moved to report **HB 4092** with recommendation, as amended.

The motion prevailed by a vote of **12-0-1**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Schuitmaker, David Law, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: Representative Elsenheimer.

Representative Bieda moved to excuse Representative Scott from the committee. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 10:36 a.m.

Representative Paul Condino, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 36 Minutes